



UNITED STATES DEPARTMENT OF COMMERCE
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ATTORNEY DOCKET NO. VB

087621,725 03/21/96 LEHMANN

P CASE-02138

EXAMINER

HM22/0620

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SCHWADRON, R

ART UNIT

PAPER NUMBER

1644

27

DATE MAILED:

06/20/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Notice of Abandonment

Application No.

08/621,725

Applicant(s)

Lehmann et al.

Examiner

Ron Schwadron, Ph.D.

Group Art Unit

1644



This application is abandoned in view of:

- ☐ applicant's failure to timely file a proper response to the Office letter mailed on _____.
- ☐ A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.
- ☐ A proposed response was received on _____, but it does not constitute a proper response to the final rejection.
(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC)).
- ☐ No response has been received.
- ☐ applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.
- ☐ The submitted issue fee of \$ _____ is insufficient. The issue fee required by 37 CFR 1.18 is \$ _____.
- ☐ The issue fee has not been received.
- ☐ applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.
- ☐ The proposed new formal drawings filed _____ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ the express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.
- ☐ the letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ the letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ the decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☒ the reason(s) below:
see enclosed note

RONALD B. SCHWADRON
PRIMARY EXAMINER
GROUP 1800-1602

1. The Notification of Non-Compliance with 37 CFR 1.192(c) mailed 2/3/2000 stated in section 3 that the status of the amendment filed 11/22/99 had not been disclosed in the Brief and stated in sections 8/9 that the claims listed in the appendix were incorrect. Applicant has indicated in the Brief filed 3/16/2000 that the amendment filed 11/22/99 has not been entered. However, the Brief filed 3/16/2000 recites claim 2 as if the amendment filed 11/22/99 had been entered. Applicant has indicated in the Brief filed 3/16/2000 that the amendment filed 11/22/99 has not been entered. Therefore, the Brief filed 3/16/2000 does not contain a correct copy of the claims under appeal. The one month period of response to the Notification of Non-Compliance with 37 CFR 1.192(c) mailed 2/3/2000 has expired. There is no time remaining under 37 CFR 1.192(a). Therefore, the instant application is now abandoned.

2. Papers related to this application may be submitted to Group 1600 by facsimile transmission. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). Papers should be faxed to Group 1600 at (703) 305-3014.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Ron Schwadron whose telephone number is (703) 308-4680. The examiner can normally be reached Monday through Thursday from 7:30 to 6:00. A message may be left on the examiners voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Christina Chan can be reached on (703) 308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Group 1600 receptionist whose telephone number is (703) 308-0196.



RONALD B. SCHWADRON
PRIMARY EXAMINER
GROUP 1800-1600

Ron Schwadron, Ph.D.
Primary Examiner
Art Unit 1644